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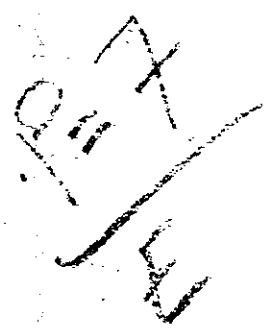
File No. Registration II / 50 (N)

Legal Deptt

B **BRANCH**

Subject:— Notifications under the Indian Registration Act 1908



File No. Registration II/50 (N)

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Legal Department.

The proposal of R.D. is -

(1) to amend G.N.,R.D.No. 9207/45, dated the 30th July 1949, issued under the Indian Registration Act, 1908 so as to include certain villages from the Hyderabad State in the registration sub-district of Bhadrachalam; and

(2) to issue an order amending the provisions ofsections 25 and 34 of the Indian Registration Act so as to make the period of 4 months specified in section 23 to run from the date on which the order is made under paragraph (1) above and not from the date of its execution.

2. In place of the R.D. draft at p. 63 a revised draft notification as sent herewith.

3. The draft order at page 67 involves the amendments of sections 25 and 34 of the Indian Registration Act, 1908 in their application to Enclaves. The State Government would not, however, by virtue of the provisions of paragraph 9 of the Provinces And States (Absorption of Enclaves) Order, 1950 and paragraph 8 of the India and Hyderabad (Exchange of Enclaves) Order, 1950, be competent to make an order which amounts to legislation. In the similar circumstances the Bombay Agriculturnl Debtors Relief Act, 1947 has been proposed to be amended in its applicationto enclaves in question by means of a Bill which is now before the State Legislature.

4. As the period of 4 months specified in section 23 of the Indian Registration Act in respect of documents executed on 25th January 1950 will expire on the 25th May 1950, no practical difficulty would arise. The proposed notification may issue without delay.

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Additional Secretary to Government.

U.O. TC R.D., No. 8304, dated the 17th April 1950.

Local Department.

The draft notifications as slightly amended are in order.

The view taken at A by R.D. on page 40 is correct.

S/d

Additional Secretary to Government.

R.D. to R.D. No. 6216 dated 6th May 1950.

Submitted for signature.

MM

SC dated

NOTIFICATION.

Revenue Department,

Bombay Castle, April 1950.

Indian Registration Act, 1908.

No. 9257/45:- In exercise of the powers conferred by section 8 of the Indian Registration Act, 1908 (XVI of 1908,), the Government of Bombay is pleased to amend with effect on and from Government Notification in the Revenue Department, No. 9257/45 dated 30th July 1949 as amended by Government Notification in the Revenue Department No. 9257/45, dated 29th March 1950, as follows:-

In the Second Schedule annexed to the said Notification, against the Banas Kantha Kantha District, in column (3) against the sub-district of Palanpur for the words "Talukas of Palanpur and Deesa" the words "Talukas of Palanpur, Danta and Abu Road" shall be substituted.

By order of the Governor of Bombay,

Secretary to Government.

No. 9257/45(a) :- The following amendment to the Bombay Registration for the State of Bombay, in exercise of the powers conferred upon him by section 69 of the Indian Registration Act, 1908 (XVI of 1908), in its application to the State of Bombay, having been approved by the Government of Bombay, is hereby published for general information, namely :-

In Schedule 'A' appended to the said rules under the heading "Banas Kantha District" the following new

P.T.O.

NEW ENTRY shall be added, namely :-

(b) Palanpur——Abu Road.

For two days from
third Monday to
the following Tuesday
through out the year."

By order of the Governor of Bombay,

Secretary to Government.

MM
SC

Local Department.

The view taken by R.D. at 'B' on page that a notification under section 5 of the Indian Registration Act, will have to be issued with prospective effect is correct. The effect of including the area of Abu Road Taluka in the registration sub-district of Palanpur amounts to the alteration of the limit of the registration sub-district of Palanpur; and under sub-section (3) of section 5 of the Act every such alteration shall take effect on such date after the date of the notification as is therein mentioned. The date to be mentioned in the draft notification at page 41 will be a date subsequent to the date on which the notification will be issued.

2. No practical difficulty would arise in this case since as stated in R.D. note at page 40 at 'A' the 4 months' period would expire on 28th May 1950 and there is sufficient time for the persons to present the document for registration from the said area to the new sub-registrar.

Additional Secretary to Government.

U.D. to R.D. No. 6520 , dated the 12th May 1950

MM

SC

Legal Department.

Revised draft notifications are sent herewith

Additional Secretary to Government.

U.R. to R.D. No. 11376 dated the 10th August 1950.

MM

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NOTIFICATION.
REVENUE DEPARTMENT.

Bombay Castle, 1950

I.

Indian Registration Act, 1908. by sec

No. In exercise of the powers conferred section 5 of the Indian Registration Act, 1908 (XVI of 1908), the Government of Bombay is pleased, with effect on and from the 1st September 1950, to amend Government Notification in the Revenue Department, No. 8257/45 dated the 30th July 1949, as follows namely:-

B.G.G Pt. IV A p. 812/40 (out up)

In the second Schedule annexed to the said notification against the Kolaba District,-

(i) in column 2 of thereof the entry "Poladpur" and in column 3 thereof the words "Mahal of Poladpur" and shall be deleted, and

(ii) in column 3 thereof against the entry "Mahad" for the words "Taluka of Mahad" the words "Taluka of Mahad and Mahal of Poladpur" shall be substituted.

II

No. The following amendment to the

Slip B cp. 342) Bombay Registration Rules, 1940, made by the Inspector General of Registeration for the State of Bombay, in exercise of the powers conferred upon him by section 69 of the Indian Registration Act, 1908 (XVI of 1908), in its approved by the Government of Bombayn is hereby published for general information, namely:-

In Schedule 'A' appended to the said rules under the heading "Kolaba District" the following new entry shall be inserted namely:-

"Mahad.....	Poladpur "	For two days (Monday and Tuesday) the second week of each of the months of January February March April, May and June "

By order of the Governor of Bombay,

Secretary to Government.

Legal Department.

The draft notifications at pages 15-30 ante, as amended, are in order.

2. The proposal of the Revenue Department is to alter the limits of certain existing sub-districts under section 5 of the Indian Registration Act, 1908 Sub-section (2) of section 5 of the said Act provides that the alteration shall take effect on such day after the date of the notification as is therein mentioned. The notifications under section 5 therefore will have to be brought into force on the date subsequent to the date on which they will be published. And to be consistent with the notifications under section 5 the other notifications, namely, under section 7 should take effect from the date on which the notifications under section 5 will come into force. The Revenue Department should again check the details of the amendments proposed to be made in the Second Schedule of theprincipal notification specially in view of the fact that some territorial changes underthe Bombay Land Revenue Code are contemplated under a separate notification sub (vide 'A' on page 73 ante).

Additional Secretary to Government.

U.R.to R.D. No. 99-L dated the 7th October 1950.

KM

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